

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANSON CHI,	:	Civil No. 1:24-CV-00928
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
UNITED STATES OF AMERICA,	:	
	:	
Defendant.	:	Judge Jennifer P. Wilson

ORDER

AND NOW, on this 24th day of February, 2025, for the reasons set forth in the accompanying memorandum, **IT IS ORDERED THAT**:

1. Defendant's motion to dismiss the amended complaint, Doc. 30, is **GRANTED**.
2. Plaintiff's amended complaint, Doc. 23, is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(ii).
3. Plaintiff may file a second amended complaint by **March 3, 2025**.
4. The second amended complaint shall bear the same case number presently assigned to this action, shall be labelled as the "Second Amended Complaint," shall be direct and concise, and shall stand alone without any reference to any document filed in this matter pursuant to Fed. R. Civ. P. 8(d).
5. The Clerk of Court will forward two (2) copies of the court's civil complaint form for his use in drafting the second amended complaint.

6. If Plaintiff does not timely file a second amended complaint, the court will enter a final order dismissing the complaint with prejudice.¹
7. Plaintiff's *in forma pauperis* status is hereby **REVOKED** pursuant to 28 U.S.C. § 1915(g).
8. Plaintiff must pay the outstanding administrative fee of \$55.00 by **March 24, 2025** or the case will be closed pursuant to 28 U.S.C. § 1914.²

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Judge
Middle District of Pennsylvania

¹ If Plaintiff does not wish to file a second amended complaint, he may file a notice stating that he intends to stand on the amended complaint. If Plaintiff files such notice, the court will enter a final order dismissing the amended complaint with prejudice so that an appeal may be filed. *See Weber v. McGrogan*, 939 F.3d 232, 241 (3d Cir. 2019).

² This order is not inconsistent with the Court's June 26, 2024 order finding that the filing fee had been paid in full and that no fee was due at that time. (Doc. 71.) The administrative fee is only due upon the revocation of the *in forma pauperis* status effective in this order.